

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

WP(C).No. 21306 of 2007(J)

PETITIONER:

M.C.CHACKOCHAN, MANNANTHAN HOUSE,
AYNOOR, PAZHANHI, THRISSUR.

BY ADV. SRI.I.DINESH MENON

RESPONDENTS:

1. THE STATE TRANSPORT APPELLATE TRIBUNAL,
ERNAKULAM.
2. THE REGIONAL TRANSPORT AUTHORITY,
MALAPPURAM REP. BY ITS SECRETARY.
3. THE SECRETARY, REGIONAL TRANSPORT
AUTHORITY, MALAPPURAM.
4. THE MANAGING DIRECTOR,
KERALA STATE ROAD TRANSPORT CORPORATION,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI. I.V. PRAMOD
SRI. JOHNSON P. JOHNS - SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11/07/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.21306 OF 2007

DATED THIS THE 11th DAY OF JULY, 2007

JUDGMENT

The petitioner applied for regular permit on the route Kunnamkulam-Ponnani via Parambudam, Porkulam, Pazhani, Pengamuck, Kochanoor, Vattambalam, Attapuram, Althara, Puthenpalli and Kundukadavu. The same was rejected by the R.T.A. on the ground that it offends a notified route. The petitioner filed MVAA No.49/2007 before the State Transport Appellate Tribunal, which was rejected by Ext.P4 holding that the route length is 36 Kms out of which 25.5 Kms distance is on notified route. The petitioner's contention is that the RTA should be directed to consider his application for permit in a modified route avoiding the overlapping distance. However, I find that in Ext.P4, the Tribunal has held that out of the total length of 36 Kms, 25.5 Kms is covered by the notified route. Therefore, there cannot be any consideration for the balance distance. However, the learned counsel for the petitioner submits that he can file an application for a modified route avoiding the offending distance. In the above circumstances, the writ petition is disposed of with an observation that if the petitioner submits an application for a modified route avoiding the overlapping area, the R.T.A. shall consider the same

in accordance with law. The K.S.R.T.C shall also be heard in the matter before orders are passed by the R.T.A.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

Acd